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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/088,751

07/19/2002

Ralf-Uwe Bauer

4197-114

8808

23448

7590

01/09/2007

INTELLECTUAL PROPERTY / TECHNOLOGY LAW

PO BOX 14329

RESEARCH TRIANGLE PARK, NC 27709

EXAMINER

OSELE, MARK A

ART UNIT

PAPER NUMBER

1734

MAIL DATE

DELIVERY MODE

01/09/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

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101088751

EXAMINER
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ART UNIT	PAPER
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20070104

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

Applicants have asked for consideration of an IDS filed on May 21, 2002. This IDS has never been associated with application 10/088,751. The examiner did not have access to this IDS and, therefore, never reviewed the cited documents. Applicants have submitted a post card receipt for an Information Disclosure Statement and Form 1449 received in the USPTO on May 24, 2002. Unfortunately, there is no additional information to indicate that the IDS and Form 1449 now submitted to the Patent Office are actually copies of those papers submitted on May 21, 2002 and verified by the postcard receipt of May 24, 2002. The postcard receipt does not indicate which IDS it is referring to by a listing of the documents or even the number of documents cited. In addition, the postcard receipt does not indicate inclusion of any copies of the foreign patents and non-patent literature as required for all documents that are not U.S. Patents. There is insufficient evidence to allow entry of this IDS at this time as there is no proof that these fourteen documents were on the IDS of May 21, 2002 along with submission of the documents themselves.

The examiner has lined through all of the references on the IDS in question. It is noted that references A1, A5, and A10 had been previously submitted with the International Search Documents in the corresponding PCT Application. These three references were also cited by the examiner on Form 892 of 10/05/2004. If this application proceeds to issue under the current circumstances references A1, A5, and A10 will be part of the record and listed on the face of the patent but references A2-A4, A6-A9, and A11-A14 will not.

**MARK A. OSELE  
PRIMARY EXAMINER**

January 4, 2006

Attachment: Form 1449